

**FORMAL MEETING AGENDA**  
**BOARD OF SUPERVISORS**  
(and the Boards of Directors of the Flood Control District, Library District,  
Stadium District, Improvement Districts, and/or Board of Deposit)  
**WEDNESDAY, AUGUST 8, 2007**  
**9:00 AM**

**INVOCATION**

**PLEDGE OF ALLEGIANCE**

**ROLL CALL**

*One or more members may attend telephonically.  
Members attending telephonically will be announced at the meeting.*

**The Board may vote to recess into an executive session for the purpose of obtaining legal advice from the Board's attorney on any matter listed on the agenda pursuant to A.R.S. §38-431.03(A)(3).**

**BOARD OF SUPERVISORS**

1. Introduction of the "Pet of the Month" from Maricopa County Animal Care & Control.

**PRESENTATIONS**

2. Presentation of Telly Award. (C8508002M00) (ADM2375)
3. Recognition of Maricopa County Library District as recipient of the 2007 NACo Best of Category Achievement Award for Library Card Sign-Up Campaign for Kids—Tomás and the Library Lady. (ADM2800-001)

## **STATUTORY HEARINGS**

**Clerk of the Board**

### **4. LIQUOR LICENSE APPLICATIONS**

Pursuant to A.R.S. §4-201, this is the time scheduled for a public hearing on the applications for liquor licenses. At this hearing, the Board of Supervisors will determine the recommendation to the State Liquor Board as to whether the State Liquor Board should grant or deny the license.

- a. Application filed by Kelly Rae Toolis for a new Series 12 Liquor License. (This item was continued from the July 25, 2007 meeting): (LL6231)

Business Name: Baci Restaurant  
Location: 711 E. Carefree Hwy, #160, Phoenix 85085

- b. Application filed by Arthur Joseph Elftmann, Sr. for a Person-to-Person Transfer and a Transfer-of-Location of a Series 6 Liquor License from Helen Elizabeth Becker: (LL6236)

Business Name: Trackside Bar & Grill  
Location: 27801 N U.S. Highway 60, Wittmann, AZ 85361  
Former Location: Boardwalk Bar & Grill, 8129 N 35<sup>th</sup> Avenue #5 & 6, Phoenix, AZ 85058

### **5. BINGO APPLICATION**

Pursuant to A.R.S. §5-404.A, approve the application filed by Mesa Buckhorn Elks Lodge 2656 for a Bingo License Permit: (ADM657-026)

Organization: Mesa Buckhorn Elks Lodge 2656  
Location: 6718 E Avalon, Mesa AZ 85205

### **6. SUMMER MESA IRRIGATION WATER DELIVERY DISTRICT**

Pursuant to A.R.S. §48-261 and §48-263, convene the scheduled public hearing regarding the impact statement of the proposed Summer Mesa Irrigation Water Delivery District, located in the Summer Mesa Subdivision Community in Supervisorial District 2.

At the hearing, the Board will hear those who appear for and against the proposed district and shall determine whether the creation of the district will promote public health, comfort, convenience, necessity or welfare. If the Board of Supervisors determines that the public health, comfort, convenience, necessity or welfare will be promoted, it shall approve the district impact statement and authorize the persons proposing the district to circulate petitions to establish the district. The impact statement is on file in the office of the Clerk of the Board.

Also, approve pursuant to A.R.S. §48-261(C), a bond in the amount of \$500 to be filed with the Board by the persons proposing the district to cover costs incurred by the County if the district is not finally organized. (C0607112700) (ADM4385)

## **AGENCY ITEMS AND STATUTORY MATTERS**

### **COUNTY OFFICERS**

#### **Clerk of the Board**

#### **7. PROPOSED NAMING WITHIN MCDOWELL SONORAN PRESERVE**

Direct the Clerk of the Board to notify the Arizona State Board on Geographic and Historic Names regarding the Board of Supervisors' support for the proposed naming of the following ten natural features in the McDowell Sonoran Preserve; Drinkwater Peak, Bell Pass, Windgate Pass, Horseshoe Ridge, Tom's Thumb, Gardener's Wall, Sven Slab, Morrell's Wall, Mesquite Canyon, and Ochoa Wash.

The proposal seeks to formally name these commonly recognized features within the planned preserve. Approval of the name changes allows the features to be officially named on maps and will aid emergency service personnel in assisting visitors to the Preserve. (C0608012700) (ADM4914)

#### **County Attorney**

#### **8. AGREEMENT AND RECEIPT OF FUNDS FROM ARIZONA PEACE OFFICER STANDARDS AND TRAINING BOARD**

Approve Agreement #2007-019 and the receipt of grant funds from the Arizona Peace Officer Standards and Training Board in the amount of \$8,000. These grant funds are intended to be used exclusively for reimbursement of expenditures related to the Asset Forfeiture Training Seminar to be held during the month of August, 2007. This grant agreement commences on July 1, 2007, and will terminate on June 30, 2008. The grant funds may not be expended for any indirect costs that may be incurred by the Maricopa County Attorney's Office or Maricopa County for the administration of this grant. The Maricopa County Department of Finance has calculated the County Attorney's composite indirect cost rate at 13.8%. The non-recoverable indirect cost of administering this grant is \$1,104.

Also, authorize an increase to the County Attorney's (190) Grant Fund (219) revenue and expenditure appropriations budget for FY 2007-08 by \$8,000. Grant revenues are not local revenues for the purpose of the constitutional expenditure limitation, and therefore expenditure of the funds is not prohibited by the budget law. This budget adjustment does not alter the budget constraining the expenditure of local revenues duly adopted by the Board pursuant to A.R.S. §42-17105. (C1908014300)

#### **9. FEDERAL ANNUAL CERTIFICATION REPORT**

Approve the FY 2006-07 Federal Annual Certification Report, which accounts for federal equitable sharing funds received from the Department of the Treasury or the Department of Justice. The Federal Annual Certification reports revenue and expenditures through June 30, 2007. Treasury funds are tracked separately from Justice Funds. This Report is on file in the Clerk of the Board's office. (C1908016800) (ADM400)

**Sheriff**

**10. FEDERAL ANNUAL CERTIFICATION REPORT**

Approve the FY 2006-07 Federal Annual Certification Report for submission to the U.S. Department of Justice and the U.S. Department of the Treasury that summarizes equitable sharing activity (a.k.a. RICO) for the fiscal year ending June 30, 2007. This certification report is a prerequisite to receiving any equitably-shared cash, property, or proceeds. On August 16, 2006, the Board approved a Federal Equitable Sharing Agreement among the Federal Government, the Sheriff's Office and the Maricopa County Board of Supervisors. The agreement sets forth the requirements for participation in the federal equitable sharing program and the restrictions upon the use of federally forfeited cash, property, proceeds and any interest earned thereon (more commonly known as RICO funds), which are equitably shared with participating agencies. The agreement calls for submission of a federal annual certification report summarizing equitable sharing activity. (C5007003201) (ADM3900)

**11. ONE-TIME ADDITION TO FLEET**

Approve a one-time addition to fleet of a forfeited vehicle under DV#2007-007833 DR#-6-139283 to be utilized in the Sheriff's fleet as a loaner vehicle in cases where divisions are short of vehicles due to accidents or repairs and maintenance. The vehicle is a white 2002 Chevy Extra cab 1500 pick up truck with a truck box and is valued at \$14,180. The annual estimated operating cost is \$3,500. No vehicle replacement cost is associated with this vehicle since it is a one time addition to the County fleet and will automatically be removed from the Maricopa County Sheriff's Office fleet when its useful life has expired. (C5008013M00) (ADM3101V)

**JUDICIAL BRANCH**

**Adult Probation**

**12. EXEMPT VEHICLE FROM MARKINGS**

Pursuant to A.R.S. §38-538.03 and A.R.S. §28-2511, approve the issuance of non-governmental license plates and the exemption from markings, including Maricopa County seals, for three replacement vehicles which will be used by Adult Probation officers on a full time basis for the supervision and surveillance of convicted Domestic Violence and Intensive Probation offenders who reside in the community as well as the investigation and apprehension of fugitive probationers. A confidential list of this vehicle's information will be kept on file in the Clerk of the Board's office. (C1108003M00) (ADM3101V)

**Trial Court**

**13. AMENDMENT TO LEASE FOR JUSTICE COURTS**

Approve Amendment No. 7 to Lease No. L-7171 with the King Family Trust and B. Gale Wilson and Carolu Partnership, for 9,311 square feet of office/court space at 1837 S. Mesa Drive, Mesa, AZ. Effective May 1, 2007, the building for the subject lease was sold to 1837 Property, LLC. The Lessor is the only change to the Lease Agreement, all other terms and conditions of the current lease remain the same. As such, this is an informational request. (C2404001401)

## COUNTY MANAGER

### Office of the County Manager

#### 14. GILA RIVER INDIAN COMMUNITY TRIBAL GAMING FUNDS

- a. Pursuant to A.R.S. §5-601.02 authorize Maricopa County to apply to the Gila River Indian Community (GRIC) for 12% Tribal Gaming Funds (Proposition 202, 2002) not to exceed \$100,000, and approve the acceptance of grant funds. If funds are awarded, pursuant to A.R.S. §42-17105, also approve an appropriation adjustment to Non-Departmental Fund (470), Non-Departmental Grant Fund (249), Pass-Through Grants (4712), adding an appropriate line item, increasing FY 2007-08 revenue and expenditure budgets not-to-exceed \$100,000. Maricopa County will put this grant funding toward the capital campaign for construction of the **Human Services Campus**. Indirect cost is not applicable to Tribal Gaming Grants. Grant revenues are not local revenues for the purpose of the constitutional expenditure limitation, and therefore expenditures of these revenues are not prohibited by the budget law. This budget adjustment does not alter the budget constraining the expenditures of local revenues duly adopted by the Board pursuant to A.R.S. §42-17105. (C2008011300)
- b. Pursuant to A.R.S. §5-601.02 authorize Maricopa County to apply to the Gila River Indian Community (GRIC) for 12% Tribal Gaming Funds (Proposition 202, 2002) not-to-exceed \$77,500, sign all necessary application materials and approve the acceptance of grant funds. If funds are awarded, pursuant to A.R.S. §42-17105, also approve an appropriation adjustment to Human Services Department (220), Human Services Grant Fund (222), increasing the FY 2007-08 revenue and expenditure budgets not to exceed \$77,500. Maricopa County will put this grant funding toward the Human Services Department **Special Transportation Division's (STS) Work Links Program**. Indirect cost is not applicable to Tribal Gaming Grants. Grant revenues are not local revenues for the purpose of the constitutional expenditure limitation, and therefore expenditures of these revenues are not prohibited by the budget law. This budget adjustment does not alter the budget constraining the expenditures of local revenues duly adopted by the Board pursuant to A.R.S. §42-17105. (C2008012300)
- c. Pursuant to A.R.S. §5-601.02 authorize Maricopa County to apply to the Gila River Indian Community (GRIC) for 12% Tribal Gaming Funds (Proposition 202, 2002) not to exceed \$24,000, sign all necessary application materials and approve the acceptance of grant funds by entering into an intergovernmental agreement with the GRIC. If funds are awarded, pursuant to A.R.S. §42-17105, also approve an appropriation adjustment to Human Services Department (220), Human Services Grant (222), increasing the FY 2007-08 revenue and expenditure budgets not-to-exceed \$24,000. Maricopa County will put this grant funding toward the Human Services Department **Special Transportation Division's Work Links Fleet Replacement Program**. Indirect cost is not applicable to Tribal Gaming Grants. Grant revenues are not local revenues for the purpose of the constitutional expenditure limitation, and therefore expenditures of these revenues are not prohibited by the budget law. This budget adjustment does not alter the budget constraining the expenditures of local revenues duly adopted by the Board pursuant to A.R.S. §42-17105. (C2008013300)

- d. Pursuant to A.R.S. §5-601.02 authorize Maricopa County to apply to the Gila River Indian Community (GRIC) for 12% Gaming Funds (Proposition 202, 2002) not-to-exceed \$300,000 and approve the acceptance of grant funds. If funds are awarded, pursuant to A.R.S. §42-17105, also approve an appropriation adjustment to Non-Departmental (470), Non-Departmental Grant Fund (249), increasing the FY 2007-08 revenue and expenditure budgets up to \$300,000, and the creation of an appropriate new line item in Non-Departmental (470) Non-Departmental Grant Fund (249). Maricopa County will put this grant funding toward the **Arizona Meth Project**. Indirect cost is not applicable to Tribal Gaming Grants. Grant revenues are not local revenues for the purpose of the constitutional expenditure limitation, and therefore expenditures of these revenues are not prohibited by the budget law. This budget adjustment does not alter the budget constraining the expenditures of local revenues duly adopted by the Board pursuant to A.R.S. §42-17105. (C2008014300)
- e. Pursuant to A.R.S. §5-601.02 authorize Maricopa County, via a Resolution between Maricopa County and the **Maricopa Integrated Health System** (MIHS) to apply for Gila River Indian Community (GRIC) 12% Gaming Funds (Proposition 202, 2002) not-to-exceed \$310,725 and approve the acceptance of grant funds. If funds are received, authorize Maricopa County to pass funds through to the MIHS. If funds are awarded, pursuant to A.R.S. §42-17105, also approve an appropriation adjustment to Non-Departmental (470), Non-Departmental Grant Fund (249), increasing the FY 2007-08 revenue and expenditure budgets not to exceed \$310,725, and the creation of an appropriate new line item in Non-Departmental (470) Non-Departmental Grant Fund (249) Pass Through Grants (4712). Maricopa County will act as the pass-through agency for the MIHS and will pass through funds not to exceed \$310,725 in FY 2008. Indirect cost is not applicable to Tribal Gaming Grants. Grant revenues are not local revenues for the purpose of the constitutional expenditure limitation, and therefore expenditures of these revenues are not prohibited by the budget law. This budget adjustment does not alter the budget constraining the expenditures of local revenues duly adopted by the Board pursuant to A.R.S. §42-17105. (C2008015300)
- f. Pursuant to A.R.S. §5-601.02 authorize Maricopa County, via a Resolution between Maricopa County and the **Juvenile Diabetes Research Foundation** (JDRF) to apply for Gila River Indian Community 12% Gaming Funds (Proposition 202, 2002) not-to-exceed \$25,000 and approve the acceptance of grant funds. If funds are received, authorize Maricopa County to pass funds through to the JDRF. If funds are awarded, pursuant to A.R.S. §42-17105, also approve an appropriation adjustment to Non-Departmental (470), Non-Departmental Grant Fund (249), increasing the FY 2007-08 revenue and expenditure budgets not to exceed \$25,000, and the creation of an appropriate new line item in Non-Departmental (470) Non-Departmental Grant Fund (249) Pass-Through Grants (4712). Maricopa County will act as the pass-through agency for JDRF and will pass through funds not to exceed \$25,000 in FY 2007-08. Indirect cost is not applicable to Tribal Gaming Grants. Grant revenues are not local revenues for the purpose of the constitutional expenditure limitation, and therefore expenditures of these revenues are not prohibited by the budget law. This budget adjustment does not alter the budget constraining the expenditures of local revenues duly adopted by the Board pursuant to A.R.S. §42-17105. (C2008016300)

- g. Pursuant to A.R.S. §5-601.02 authorize Maricopa County, via a Resolution between Maricopa County and the Native American Community Health Center to apply for Gila River Indian Community (GRIC) 12% Tribal Gaming Funds (Proposition 202, 2002) not to exceed \$45,000 and approve the acceptance of grant funds. If funds are received, authorize Maricopa County to pass funds through to the Native American Community Health Center. If funds are awarded, pursuant to A.R.S. §42-17105, also approve an appropriation adjustment to Non-Departmental (470), Non-Departmental Grant Fund (249), increasing the FY 2007-08 revenue and expenditure budgets not-to-exceed \$45,000, and the creation of an appropriate new line item in Non-Departmental(470) Non-Departmental Grant Fund (249) Pass Through Grants (4712) Maricopa County will act as the pass-through agency for the **Native American Community Health Center** and will pass through funds not to exceed \$45,000 in FY 2007-08. Indirect cost is not applicable to Tribal Gaming Grants. Grant revenues are not local revenues for the purpose of the constitutional expenditure limitation, and therefore expenditures of these revenues are not prohibited by the budget law. This budget adjustment does not alter the budget constraining the expenditures of local revenues duly adopted by the Board pursuant to A.R.S. §42-17105. (C2008017300)
- h. Pursuant to A.R.S. §5-601.02 authorize Maricopa County, via a Resolution between Maricopa County and the Wittmann Fire District to apply for Gila River Indian Community 12% Gaming Funds (Proposition 202, 2002) not-to-exceed \$20,000 and approve the acceptance of grant funds. If funds are received, authorize Maricopa County to pass funds through to the **Wittmann Fire District**. If funds are awarded, pursuant to A.R.S. §42-17105, also approve an appropriation adjustment to Non-Departmental (470), Non-Departmental Grant Fund (249), increasing the FY 2007-08 revenue and expenditure budgets not to exceed \$20,000, and the creation of an appropriate new line item in Non-Departmental (470) Non-Departmental Grant Fund (249) Pass Through Grants (4712). Maricopa County will act as the pass-through agency for the Wittmann Fire District and will pass through funds not-to-exceed \$20,000 in FY 2007-08. Indirect cost is not applicable to Tribal Gaming Grants. Grant revenues are not local revenues for the purpose of the constitutional expenditure limitation, and therefore expenditures of these revenues are not prohibited by the budget law. This budget adjustment does not alter the budget constraining the expenditures of local revenues duly adopted by the Board pursuant to A.R.S. §42-17105. (C2008018300)

**DEPUTY COUNTY MANAGER**

**Public Health**

**15. AMENDMENT TO IGA WITH ADHS FOR TUBERCULOSIS CONTROL SERVICES**

Approve Amendment No. 5 to the Intergovernmental Agreement No. HG454008 with the Arizona Department of Health Services (ADHS) and Maricopa County Department of Public Health (MCDPH) to provide Tuberculosis Control Services. The amendment provides additional grant funds in the amount of \$622,694 for the budget period starting July 1, 2007 to June 30, 2008. These funds will be used to control and prevent Tuberculosis (TB) by finding all cases of active TB and ensuring completion of therapy; identifying, medically evaluating, and ensuring completion of treatment for latent TB infection of contacts to pulmonary TB cases, and the reporting of TB surveillance data. All other terms and conditions of the original agreement shall remain in full force and effect.

The Department of Public Health's Indirect Rate for FY 2007-08 is 18%. Estimated total indirect costs are \$94,972 and are fully recoverable.

Also, approve revenue and expenditure appropriation adjustments to the Public Health Grant Fund (Department 860, Fund 532) associated with the aforementioned grant in an amount of \$146,815. The appropriations adjustment is necessary because these funds are additional and were not included in the FY 2007-08 budget. Grant revenues are not local revenues for the purpose of the constitutional expenditure limitation, and therefore expenditures of these revenues are not prohibited by the budget law. The approval of this budget adjustment does not alter the budget constraining the expenditures of local revenues duly adopted by the Board pursuant to A.R.S. §42-17105. (C8603160205)

**16. PURCHASE ORDER FOR ADDITIONAL FUNDING FOR TEEN PREGNANCY PREVENTION PROGRAM**

Approve the Purchase Order from the Arizona Department of Health Services (ADHS) pertaining to the Intergovernmental Agreement (IGA) #HG554225 to Maricopa County, through its Department of Public Health, to provide additional grant funding for the Teen Pregnancy Prevention Program (also known as Comprehensive Sexuality Education Services). The Purchase Order is for the grant budget period July 1, 2007 to June 30, 2008 and is for an amount not-to-exceed \$128,136.

The Department of Public Health's indirect cost rate for FY 2007-08 is 18.0%. Indirect costs are fully recoverable and estimated at \$19,547.

No revenue and expenditure appropriation adjustment is needed as these funds are included in FY08 Adopted Budget. Grant revenues are not local revenues for the purpose of the constitutional expenditure limitation, and therefore expenditures of these revenues are not prohibited by the budget law. The approval of this budget adjustment does not alter the budget constraining the expenditures of local revenues duly adopted by the Board pursuant to A.R.S. §42-17105. (C8605904203)



**17. AMENDMENT TO IGA WITH ADHS - WIC BREASTFEEDING PEER COUNSELING PROGRAM**

Approve Amendment No. 1 to Intergovernmental Agreement (IGA) No. HP661311-002, between the Arizona Department of Health Services and Maricopa County Department of Public Health for the Women, Infant and Children (WIC) Breastfeeding Peer Counseling Program. This amendment replaces the original price sheet for funding period, October 1, 2006 through September 30, 2007. This amendment is required because it transfers monies between the price sheet line items greater than 10% of the total price sheet amount. The total price sheet amount is not affected and all other provisions shall remain unchanged. This amendment has a county-wide net impact of zero. (C8607028201)

**18. SOLE SOURCE CONTRACT FOR SNSLOGICSYSTEM SOFTWARE PACKAGE**

Approve Amendment No. 1 to the Sole Source contract with Focus 21 for a SNSLogicSystem software package, customized for Maricopa County Department of Public Health's Emergency Management (PHEM). This amendment increases the contract dollar amount by \$38,000 changing the contract dollar amount from \$386,535 to an amount not-to-exceed \$424,535. The additional funds reflect an increase to the Scope of Work which will be used to allow training for staff on the SNSLogicSystem and develop an electronic inventory tracking system that can be utilized during a public health emergency. The additions to the Scope of Work will be added via a Change Order Request Form as mandated by the contract. All other terms and conditions of the original agreement shall remain in full force and effect. (C8607036101)

**19. DONATION OF HIV PREVENTATIVE SUPPLIES**

Accept the donation of additional human immune deficiency (HIV) preventative supplies, at no cost to Maricopa County, from Arizona Department of Health Services (ADHS) for use in the Maricopa County Department of Public Health (MCDPH) for its HIV/HCV Infection Control and Surveillance Program valued in the amount of \$52,234.05. These preventative supplies have been provided to MCDPH for distribution to the HIV/HCV Infection Control and Surveillance Program throughout FY 2006-07. These preventative supplies are awarded in-kind, the value of which will be booked as a revenue and expenditure in the Finance System. MCDPH's indirect rate for FY 2006-07 is 18.1%. This in-kind donation does not allow for indirect reimbursement; therefore, indirect expenses estimated at \$9,455 are unrecoverable. (C8607065M01)

**20. STUDENT ROTATION TRAINING AGREEMENT**

Approve the affiliation agreement entitled, "Nova Southeastern University Student Rotation Training Agreement" with Nova Southeastern University to allow students to participate in learning experiences at the Maricopa County Department of Public Health. The agreement is non-financial. The term is from July 1, 2007 to June 30, 2012. (C8608017000)

**21. LUMP SUM PAYMENT**

Approve a lump sum payment of \$828.82 to compensate Department of Public Health employee, Lovina Ogden, in the Public Health Laboratory for Special Work Assignment pay for hours worked during the period of July 1, 2006 to August 28, 2006. Total Compensation has approved this claim. The compensation will come from budgeted funds. (C8608018M00) (ADM3308-001)

## **ASSISTANT COUNTY MANAGER - COMMUNITY SERVICES**

### **Human Services**

**22. PARKING AGREEMENTS WITH SURROUNDING VENDORS-COUNTY SECURITY BUILDING**

Authorize the Human Services Department through purchase orders issued by Materials Management to continue month-to-month parking agreements with various vendors near the County owned Security Building to provide parking for current and future department employees. The proposed agreements will fix the monthly parking rates for a mutually acceptable term. Also, authorize the Human Services Department to expend funds, not-to-exceed \$100,000 during FY 2008, FY 2009, FY 2010, and FY 2011. These month-to-month licenses will require vendors to provide a minimum number of parking spaces at fixed rates per space and will allow the number of parking spaces to fluctuate from month-to-month, as needed. The exact terms may vary according to the needs of the various vendors. (C2204105M01) (ADM811-002)

**23. AMENDMENT TO CONTRACT WITH COMTRANS, INC.**

Approve Amendment No. 4 to the contract between the Maricopa County Human Services Department Special Transportation Program and COMTRANS, Inc. to change the Statement of Work which will allow for increases to the individual services provided under the contract by 5%, these services are outlined in Schedule IV of the original contract. The increases will cover the rising cost of fuel, labor and general business operations. The effective date of this amendment is July 1, 2007. This contract does not contain any County general funds. (C2206141104)

**24. AMENDMENT WITH GOODWILL INDUSTRIES OF CENTRAL ARIZONA, INC.**

Approve Amendment No. 4. to the contract with Goodwill Industries of Central Arizona, Inc. to increase the contract value by \$12,600 (from \$901,247 to \$913,847) to provide Workforce Investment Act (WIA) youth healthcare industry work experience services and activities to northern area special population in-school and southeastern area in-school and out-of-school youth. This amendment is effective from July 1, 2007, to December 31, 2007. (C2207072104)

**25. AMENDMENT TO IGA WITH ARIZONA DEPARTMENT OF ECONOMIC SECURITY, REHABILITATION SERVICES OF ARIZONA**

Approve Amendment No. 1 to the intergovernmental agreement (IGA) between Maricopa County Human Services Department and the Arizona Department of Economic Security, Rehabilitation Services of Arizona to increase the amount of the IGA by \$3,000 (from \$28,700 to \$31,700). This amendment provides additional support to increase the occupational skill attainment by disabled participants through an Assistive Technology Center at the West Valley One-Stop Center at 1840 N. 95th Avenue, Suite 160, Phoenix, Arizona 85037. This contract does not contain any County general funds. (C2207098201)

**26. APPLY FOR FUNDS TO ARIZONA WOMEN'S EDUCATION & EMPLOYMENT, INC.**

Approve the application and acceptance of grant funds from Arizona Women's Education & Employment, Inc., (AWEE). Authorize the Chairman to sign all documents related to these grant funds, approve the receipt of all such funds awarded during FY 2007-08 as a result of the corresponding grant request. The grant funds may be expended for indirect costs which may be incurred by the Human Services Department for the administration of this grant. The funding requested will not exceed \$20,000 in total. The Department's FY 2007-08 authorized indirect cost rate of 16.5% will be applied and total estimated indirect costs are \$2,833. Also, approve revenue and expenditure appropriation adjustments to the Human Services Department, HS Grants, fund #222 associated with the grant in the amount of \$20,000 for FY 2007-08. Grant revenues are not local revenues for the purpose of constitutional expenditure limitation, and therefore, expenditure of the funds is not prohibited by the budget law. This budget adjustment does not alter the budget constraining the expenditure of local revenues duly adopted by the Board pursuant to A.R.S. §42-17105. (C22081083ZZ)

**Parks and Recreation**

**27. AMENDMENT TO THE SPECIAL USE AGREEMENT WITH ARIZONA MODEL PILOTS SOCIETY**

Approve Amendment No. 1 to Special Use Agreement No. C3006005100 between Maricopa County and Arizona Model Pilots Society extending the ending term date from January 6, 2011 to January 6, 2021, which also results in an amendment to the Concessionaire's Administrative Fee Schedule. Arizona Model Pilots Society agrees to pay Maricopa County Administrative Fees estimated to be \$83,000 over the span of the agreement. There are no renewal options remaining on this agreement. (C3006005101)

**28. CONVEYANCE OF NON-EXCLUSIVE RECREATIONAL USE EASEMENTS**

Approve Intergovernmental Agreement (IGA) FCD 2006A002 between the Maricopa County Parks and Recreation Department and the Flood Control District of Maricopa County which will allow the conveyance of non-exclusive recreational use easements over proposed project areas as requested by the County and approved by the District. The County will request easements for the Maricopa County Regional Trail System, and may request additional recreation sites on District property. (C3008002200) (ADM3205)

**29. QWEST EASEMENTS**

Approve and execute two Qwest easements at Usery Mountain Regional Park as it pertains to the telephone service to the entry station and park, subject to legal counsel review and approval of the documents. (C3008003M00) (ADM3236)

**30. WAIVER TO MONTHLY REPORTING POLICY FOR RECEIVING DONATIONS**

Approve an annual waiver for the Parks and Recreation Department to section C.2 of Policy A2508 Policy for Receiving Donations, requiring a monthly report of donated funds to the Board. According to section C.3 the Parks & Recreation department maintains a segregated Donation Fund approved annually by the Board during the budget cycle and therefore requests a waiver to the monthly reporting policy. (C3008004600) (ADM1810)

**31. CONTINUATION OF SPOT AWARD TOKEN PROGRAM**

Approve the continuation of a Sport Award Token Program in accordance with Section X of the Maricopa County Compensation Plan, as an employee recognition program for FY 2007-08, in addition to the American Express Card Peak Performer Program (02059-RFP) for Parks and Recreation Department. Estimated annual cost of the Spot Award Token Program is under \$500 and will be absorbed from non-general fund sources within the Department (Fund 241 and Fund 240). The Program will cover the period from July 1, 2007 through June 30, 2008. (C3008005800)

**ASSISTANT COUNTY MANAGER – CRIMINAL JUSTICE**

**Justice System Planning**

**32. SOLE SOURCE AGREEMENT WITH DIGITALBRIDGE COMPANY**

Approve a sole source agreement with DigitalBridge Company for three years, renewable for two additional years for annual maintenance and support of the Intelligent XML Packet Transaction Server Software. Maintenance and support are estimated to cost \$50,000 annually. Funding is in the ICJIS budget (Jail Tax funds). This purchase significantly reduces development time to implement a Warrants Project for County Criminal Justice Agencies. (C4206004101)

**33. MOU WITH THE ADMINISTRATIVE OFFICE OF THE SUPREME COURTS**

Approve a Memorandum of Understanding (MOU) between Maricopa County Integrated Criminal Justice Information System (ICJIS) and the Administrative Office of the Supreme Courts (AOC). ICJIS has developed the Justice Web Interface (JWI) Application which consists of a browser application used for data entry, server application, reporting module and database schema, the corresponding source code and support documentation, which ICJIS has offered to furnish to the Administrative Office of the Supreme Courts. ICJIS shall transfer ownership of the Software to Administrative Office of the Courts at no charge. AOC shall release ICJIS and its agents and employees from all claims and demands associated with the Software. ICJIS shall provide AOC with the Software within 15 days upon execution of this MOU. (C4207002M00)

**34. SOLE SOURCE AGREEMENT WITH QUOVADX**

Approve a sole source agreement with Quovadx for three years, renewable for two additional years for annual maintenance and support of the Cloverleaf Software used for our Integration Engine. Maintenance and support is estimated to cost up to \$45,000 annually. Funding is in the Integrated Criminal Justice Information System budget (Jail Tax funds). (C4208001100)

**CHIEF FINANCIAL OFFICER**

**Animal Care & Control Services**

**35. ANIMAL CONTROL SHELTER SERVICES**

Approve an intergovernmental agreement (IGA), between Maricopa County Animal Care & Control and the Town of Fountain Hills, for Animal Control Shelter Services. This IGA is effective from July 1, 2007, through June 30, 2010. The Town of Fountain Hills agrees to pay full cost recovery for shelter services for FY 2007-08 estimated to be \$19,500 based on fees approved by the Board on November 2, 2005 (C7906024700) and historical levels of service for this jurisdiction.

Also, authorize the Office of Management and Budget to adjust the revenue and expenditures for FY 2008-09 and FY 2009-10 based on service levels. (C7908008200)

**36. ANIMAL CONTROL FIELD SERVICES**

Approve the following intergovernmental agreements (IGAs), with Maricopa County Animal Care & Control for Animal Control Field Services. These IGAs are effective from July 1, 2007, through June 30, 2010.

Also, authorize the Office of Management and Budget to adjust the revenue and expenditures for FY 2008-09 and FY 2009-10 based on service levels.

- a. **Town of Fountain Hills** The Town of Fountain Hills agrees to pay full cost recovery for field services for FY 2007-08 estimated to be \$16,813 based on historical levels of service for this jurisdiction. (C7908009200)
- b. **Town of Guadalupe** – The Town of Guadalupe agrees to pay full cost recovery for field services for FY 2007-2008 estimated to be \$21,990 based on historical levels of service for this jurisdiction. (C7908010200)
- c. **Town of Queen Creek** – The Town of Queen Creek agrees to pay full cost recovery for field services for FY 2007-2008 estimated to be \$16,387 based on historical levels of service for this jurisdiction. (C7908011200)
- d. **City of Chandler** – The City of Chandler agrees to pay full cost recovery for field services for FY 2007-2008 estimated to be \$182,768 based on historical levels of service for this jurisdiction. (C7908016200)
- e. **Town of Paradise Valley** – The Town of Paradise Valley agrees to pay full cost recovery for field services for FY 2007-2008 estimated to be \$7,922 based on historical levels of service for this jurisdiction. (C7908019200)
- f. **City of Goodyear** – The City of Goodyear agrees to pay full cost recovery for field services for FY 2007-2008 estimated to be \$42,618 based on historical levels of service for this jurisdiction. (C7908020200)

- g. **City of Phoenix** – The City of Phoenix agrees to pay full cost recovery for field services for FY 2007-08 estimated to be \$2,147,102 based on historical levels of service for this jurisdiction. This IGA is effective from July 1, 2007, through June 30, 2012.

Also, authorize the Office of Management and Budget to adjust the revenue and expenditures for FY 2008-09, FY2009-10, FY2010-11 and FY2011-12 based on service levels. (C7908006200)

**37. MONETARY DONATIONS**

Accept the following monetary donations for the care of the animals. Donation revenue funds are deposited into Fund (573) as they are received. Donation funds are not local revenues for the purpose of the constitutional expenditure limitations, and therefore expenditures of these revenues are not prohibited by the budget law. The approval of this action requested does not alter the budget constraining the expenditures of local revenues duly adopted by the Board pursuant to A.R.S. §42-17105. (C7908015700) (ADM2300-006)

- a. Bernice Berhorst of Mesa, AZ in the amount of \$500. (C7908015700)
- b. PetSmart Charities in the amount of \$270. (C7908017700)
- c. Roberta Pederson of Phoenix, AZ in the amount of \$1,000. (C7908018700)

**38. VEHICLE DONATION**

Accept a vehicle donation of a 1998 Yamaha Golf Car, from Americo Posillico of Surprise, AZ valued at \$2,500 for the care of the animals. Donation funds are not local revenues for the purpose of the constitutional expenditure limitations, and therefore expenditures of these revenues are not prohibited by the budget law. The approval of this action requested does not alter the budget constraining the expenditures of local revenues duly adopted by the Board pursuant to A.R.S. §42-17105.

Also, approve the one-time addition to fleet of one 1998 Yamaha Golf Car, for the purpose of transporting pets, equipment and supplies from one area of the shelter grounds to another. This vehicle is valued at \$2,500. Annual operating and maintenance costs are estimated at \$500 This vehicle is a one-time addition to fleet that will be retired at the end of its useful life with no funding from the General Fund for its replacement. A detailed cross-referenced list of vehicle identification numbers is kept on file with the Clerk of the Board. (C7908021700) (ADM2300-006) (ADM3104)

**Finance**

**39. FUND TRANSFERS; WARRANTS**

Approve regular and routine fund transfers from the operating funds to clearing funds including payroll, journal entries, allocations, loans, and paid claims and authorize the issuance of the appropriate related warrants. Said warrants and claims are recorded on microfiche retained in the Department of Finance in accordance with the Arizona State Department of Library Archives and Public Records retention schedule, and are incorporated herein by this reference.

**40. AMENDMENT TO AGREEMENT WITH INTERNATIONAL GENOMICS CONSORTIUM**

Approve the Amendment No. 1 to the economic development funding agreement between Maricopa County and the International Genomics Consortium (IGC). This amendment provides for payment to the IGC of \$1,000,000 per year contingent upon the IGC's accomplishment of predetermined economic development goals and the provision of agreed upon consulting services to the Maricopa County's Department of Public Health. (C1803008101)

**41. CAPITAL LEASE DOCUMENTS, DECLARATION OF OFFICIAL INTENT FOR ACQUISITION OF COMPUTER EQUIPMENT**

Authorize the Chairman to execute all capital lease documents, including the "Declaration of Official Intent," required for the acquisition of County departmental computer equipment approved per the FY 2007-08 budget process. Authorize appropriate departmental representatives to sign lease documents pertaining to their respective departments. All capital lease documents are subject to County Counsel approval. The County has determined a need to provide updated technology equipment on a three-year "refresh" basis. Therefore, most departments will not purchase computer equipment outright, but will enter into a three-year capital lease for computer equipment facilitated by the Office of Enterprise Technology. The County intends to enter into reimbursement capital lease financing for the purchase of departmental computer equipment not to exceed the approved budget amount of \$23,534,400 for FY 2007-08. The County will be reimbursed for the expenditures with the proceeds of the lease obligation. (C1808007800) (ADM1831-003)

**42. CAPITAL LEASE DOCUMENTS FOR FINANCING OF THE OFFICE OF ENTERPRISE TECHNOLOGY'S NETWORK INFRASTRUCTURE TECHNOLOGY EQUIPMENT**

Authorize the Chairman to execute all capital lease documents required for the financing of the Office of Enterprise Technology's network infrastructure technology equipment in an amount not to exceed \$25,000,000. Authorize appropriate departmental representatives to sign lease documents pertaining to their respective departments. All capital lease documents are subject to County Counsel approval. The Department of Finance will facilitate the three-year reimbursement capital lease. The Office of Enterprise Technology will be expending funds for the capital equipment and is requesting reimbursement of their expenditures from the proceeds of the capital lease. Estimated total capital lease payments, with an approximate 5.00% (Estimated) interest rate equates to yearly debt service payments of approximately \$8,992,000; monthly capital lease payments will be approximately \$749,500. The funds are budgeted. (C1808008800) (ADM1831-003)

**43. DECLARATION OF OFFICIAL INTENT TO REIMBURSE THE CRIMINAL COURT TOWER AND THE DURANGO 911 AND CRIME LAB PROJECTS**

Approve and authorize the Chairman to sign the Declaration of Official Intent to reimburse the Criminal Court Tower as previously approved in C7007047800; and the Durango 911 and Crime Lab projects. The declaration will allow the Capital Project Fund; Financing Series 2008 (Fund 441) to be reimbursed for capital expenditures should the County decide to issue tax exempt borrowings to fund these projects. These funds have been budgeted by OMB. Capital expenditures budgeted for FY 2007-08 in Fund (441) are \$23,418,046 (\$22,075,189 Criminal Court Tower and \$1,342,857 Durango 911 and Crime Lab). The Declaration of Official Intent will not exceed budget authority of \$23,418,046. (C1808009800) (ADM1800)

**Materials Management**

**44. SOLICITATION SERIALS**

Approve the following solicitation serial items. The action on the following items is subject to Civil Division's review and approval of the respective contracts and subsequent execution of contracts. (ADM3005)

**Award**

**06157-C Institutional Mattresses (\$850,000 estimate/three years with three one-year renewal options)** Price agreement for institutional mattresses for the Maricopa County Sheriff's Department correctional facilities.  
○ Bob Barker Company, Inc.

**06167-RFP Data Warehouse Services, Employee Health Initiatives (\$600,000 estimate/three years with three one-year renewal options)** Contract to provide web based data warehouse services for the County's self insured health benefits program.  
○ Ingenix, Inc.

**07025-C Telephone and Data Communication Supplies (\$10,000,000 estimate three/years with three one-year renewal options)** Pricing agreement to provide Telephone and Data Communication Supplies as requested by the Office of Enterprise and Technology.  
○ Communications Supply Corp  
○ Graybar Electric Co.

**Correction**

**06123-RFP Agenda Management Software System and Associated Services (Correction)** Correct contract period from five years to six years. Corrected expiration date is June 30, 2013.  
○ Sire Technologies



## ASSISTANT COUNTY MANAGER - REGIONAL DEVELOPMENT SERVICES

### Environmental Services

#### 45. AMENDMENT TO LEASE WITH REALNET BROOKWOOD ACQUISITIONS, LLC

Retroactively approve and execute the second amendment to full service Lease No. L7290 with RealNet Brookwood Acquisitions, LLC, Lessor, for 4,230 square feet of office space located at 8910 N. 43rd Avenue, Suite 101, Glendale, AZ. This amendment will adjust the rental rate for the current lease term, identify tenant improvements and change the term of the existing lease to commence on February 1, 2007 and terminate on January 31, 2014, with an option to renew for three additional years. The lease contains a 180-day termination provision. The rental rate is: (C8800011402)

Months	Rate	Monthly	Annual plus rental tax
1-12	\$17.50/sf	\$6,169	\$74,028
13-24	\$17.75/sf	\$6,257	\$75,084
25-36	\$18.00/sf	\$6,345	\$76,140
37-48	\$18.25/sf	\$6,433	\$77,196
49-60	\$18.50/sf	\$6,521	\$78,252
61-72	\$18.75/sf	\$6,609	\$79,308
73-84	\$19.00/sf	\$6,698	\$80,376

### Facilities Management

#### 46. ELECTRICAL ENGINEERING SERVICES

Approve a professional service contract with **LSW Engineers Arizona, Inc.** to provide "as needed" electrical engineering services for a five year period (Contract No. FMD-08-023). The consultant will provide planning, programming, estimating, design, and construction administration services for various County projects. Consultant fees for a five year period shall be \$500,000 or less and are paid by the County's Major Maintenance budget or by budgeted department funds. (C7008015500)

#### 47. MECHANICAL ENGINEERING SERVICES

Approve a professional service contract with **LSW Engineers Arizona, Inc.** to provide "as needed" mechanical engineering services for a five year period (Contract No. FMD-08-024). The consultant will provide planning, programming, estimating, design, and construction administration services for various County projects. Consultant fees for a five year period shall be \$500,000 or less and are paid by the County's Major Maintenance budget or by budgeted department funds. (C7008016500)

#### 48. REMODEL OF THE SECOND FLOOR OF THE CENTRAL COURTS BUILDING

Approve and authorize the execution of Construction Manager at Risk (CMR) Contract No. FMD-08-022 for GMP #1 with **Layton Interior Specialists** of Arizona, in the amount of \$1,899,627, to provide construction phase services for the remodel of the second floor of the Central Courts Building (3305) (Project No. 3305-07-407) located at the Maricopa County Downtown Campus, Phoenix, Arizona. (C7008017500)

**Transportation**

**49. EASEMENT, RIGHT-OF-WAY, AND RELOCATION ASSISTANCE DOCUMENTS**

Approve easements, right-of-way documents, and relocation assistance for highway and public purposes as authorized by road file resolutions or previous Board of Supervisors' action. (The list is on file in the Clerk of the Board's office.) (ADM2007)

**50. IMPROVEMENTS TO QUEEN CREEK ROAD FROM ARIZONA AVENUE TO MCQUEEN ROAD**

Approve Amendment No. 1 to the intergovernmental agreement between Maricopa County Department of Transportation and the City of Chandler for the improvements to Queen Creek Road from Arizona Avenue to McQueen Road (Project #T087). This project is budgeted for funding in FY 2007-08 and FY 2008-09. Queen Creek Road from Arizona Avenue to McQueen Road is predominantly a two lane roadway built to rural arterial standards. This area is rapidly developing and Queen Creek Road must be upgraded to serve this urban development. In October 2000 the County and the City established an intergovernmental agreement to share the costs of design and advanced right-of-way acquisitions with the final design being completed in 2001. Subsequently, in 2006 the original design was updated and revised with the County acting as lead agency. This amendment serves as an addition to the original agreement to address the distribution of responsibilities and costs associated with the construction of this project. The City will act as lead agency for post design services, construction and construction management of this Project. The City will begin the annexation process after all the necessary right-of-way has been acquired within the Project limits. The City will also assume operational and maintenance responsibility for all of Queen Creek Road within the Project limits until the annexation has been completed.

The total costs for construction of this project are estimated at \$5.9 million. The County will be responsible for 50% of the cost of basic improvements (not including enhancements beyond county standards) currently estimated at \$2.3 million. The amount currently programmed in the five year budget for this project is \$1.96 million over two fiscal years (FY2008 and FY2009). (Supervisory District) (C6401102201)

**51. CHANGE ORDER TO CONTRACT WITH URS CORPORATION**

Approve Change Order No. 17 to Contract No. CY 2001-036 with URS Corporation, in an amount not-to-exceed \$80,009.00 for the SR 303L from I-10 to US 60, Project No. T109.

Also, per A.R.S. §42-17106 (B), approve the addition of the following project and corresponding expenditure budget to the FY 2007-08 Transportation Improvement Program (TIP), Department of Transportation (640), Transportation Capital Projects Fund (234), Year 1:

Project T109, SR 303L from I-10 to US 60 with a budget of \$97,500.

Also, approve an amendment to the current FY 2008-2012 five-year CIP for Fund (234) – Transportation Capital Projects Fund adopted by the Board on June 20, 2007 by decreasing the FY 2007-08 (Year 1) capital budget for the following projects:

Project T002, Project Reserve Account capital budget by \$97,000.

Project T006, Unallocated Force Account capital budget by \$500. (Supervisory District 4 and 5) (C6401241513)

**52. CHANGE ORDER TO CONTRACT WITH HAYDON BUILDING CORP**

Approve Change Order No. 20 to Contract No. CY 2004-138 with Haydon Building Corp, in the amount of \$73,318.91 for Ellsworth Road from Germann Road to Ray Road – Phase 1, Project No. T068. This change order will exceed the \$1,000,000 approval limit for change orders for the County Engineer and Public Works Director.

Per A.R.S. §42-17106 (B), also approve an amendment to the current FY 2008-2012 five-year TIP for Fund 234 – Transportation Capital Projects Fund adopted by the Board on June 20, 2007, by decreasing the FY 2007-08 (Year 1) capital budget for Project T002, Project Reserve Account capital budget by \$73,319.00.

And, increasing the FY 2007-08 (Year 1) capital budget for Project T068, Ellsworth Road from Germann Road to Ray Road – Phase 1 capital budget by \$73,319.00. (C6405180501)

**53. AMENDMENT TO IGA WITH CITY OF GOODYEAR**

Approve Amendment No. 1 to the Intergovernmental Agreement (C6406284200) between Maricopa County and the City of Goodyear, entered into on September 6, 2006, Recorder's No. 2006-1228999. The original agreement identified and defined the responsibilities of the County and the City for the cost sharing, design, construction, construction administration, rights-of-way acquisition, utility relocation, maintenance, and ownership of the improvements to Cotton Lane from MC 85 to Estrella Parkway. It also noted the City's financial responsibility for any delays to the Project in the event that prior or concurrent construction by the Private Developer. This amendment identifies and estimates the costs of the modifications to the plans, permits and construction required to preserve the integrity of the current construction. It also states that the costs shall be initially shared equally by the County and the City, with the City reimbursing the County for its share of the actual costs within twenty-four months of the Project's completion, which is currently estimated for November 2007. (Supervisory District 4 and 5) (C6406284201)

**54. CHANGE ORDER FOR COTTON LANE BRIDGE AT GILA RIVER**

Approve Change Order No. 9 to Contract CY2006-039 with Kiewit Western Co. (T180 – Cotton Lane Bridge at Gila River) to provide rip rap scour protection of the abutments and extend this rip rap along the banks both upstream and downstream of the abutments to provide adequate scour protection of the bridge foundation.

This change order increases the contract amount by \$2,448,780. Approval of this change order is contingent on its prior approval by Goodyear City Council and the approval of Amendment No. 1 to the Intergovernmental Agreement (C6406284201) between Maricopa County and the City of Goodyear approved August 8, 2007.

Per A.R.S. §42-17106 (B), also approve an amendment to the current FY 2008-2012 five-year TIP for Fund (234) – Transportation Capital Projects Fund adopted by the Board on June 20, 2007, by **decreasing** the FY 2007-08 (Year 1) capital budget for Project T002, Project Reserve Account capital budget by \$2,448,780.

And, **increasing** the FY 2007-08 (Year 1) capital budget for Project T180, Cotton Lane Bridge at the Gila River capital budget by \$2,448,780. (Supervisory District 4 and 5) (C6406252502)

**55. ACCEPT BID FOR MC 85 EXTENSION: SR 85 TO TURNER ROAD, (BUCKEYE WATER DISTRICT IRRIGATION FACILITIES RELOCATION PROJECT)**

Accept the sole bid of \$2,097,592.08 from DBA Construction, Inc., for MC 85 Extension: SR 85 to Turner Road, (Buckeye Water District irrigation facilities relocation), Project No. T171, Contract No 2007-035.

Per A.R.S. §42-17106(B), also approve an amendment to the current FY 2008-2012 five-year TIP for Fund (234) – Transportation Capital Projects Fund adopted by the Board on June 20, 2007, by **decreasing** the FY 2007-08 (Year 1) capital budget for Project T002, Project Reserve Account capital budget by \$1,900,000.

And, **increasing** the FY2007-2008 (Year 1) capital budget for Project T171, MC 85 Extension: SR 85 to Turner Road capital budget by \$1,900,000. (Supervisory District 4) (C6407226501)

**56. BIDS AND AWARD CONTRACT FOR INTERSECTION IMPROVEMENTS**

Approve the solicitation of bids for the Intersection Improvements at Camino Del Sol at Spanish Gardens, MCDOT Project No. T233; and approve the award to the lowest responsive bidder, provided that the lowest responsive bid does not exceed the engineer's estimate by 10%.

Also, per A.R.S. §42-17106(B), approve an amendment to the current FY2008-2012 five-year TIP for Fund (234) – Transportation Capital Projects Fund adopted by the Board on June 20, 2007, by **decreasing** the FY 2007-08 (Year 1) capital budget for Project T002, Project Reserve Account capital budget by \$300,000.

And, **increasing** the FY 2007-2008 (Year 1) capital budget for Project T233, Camino Del Sol at Spanish Gardens capital budget by \$300,000. (Supervisor District 4) (C6407267100)

**57. APPLY AND ACCEPT FUNDING FROM THE MARICOPA ASSOCIATION OF GOVERNMENT'S SAFETY AND ELDERLY MOBILITY SIGN PROJECT**

Authorize the Transportation Department (MCDOT) to apply for \$81,738 in reimbursement grant funding from the Maricopa Association of Government's (MAG) Safety and Elderly Mobility Sign Project. If the grant award is made, authorize to accept the funds and approve the revenue and expenditure appropriation increase in the amount of \$81,738 in FY 2007-08 to the Transportation Grant Fund (223). The appropriation adjustment is necessary because these funds were not included in the FY 2007-08 budget.

Grant Revenues are not local revenues for the purpose of the constitutional expenditure limitation, and therefore, expenditures of these revenues are not prohibited by the budget law. This budget adjustment does not alter the budget constraining the expenditures of local revenues duly adopted by the Board pursuant to A.R.S. §42-17105. (C6407281300)

**58. ADDITION OF PROJECT AND CORRESPONDING EXPENDITURE BUDGET**

Pursuant to A.R.S. §42-17106(B), approve the addition of the following project and corresponding expenditure budget to the FY 2007-2008 Transportation Improvement Program (TIP), Department of Transportation (640), Transportation Capital Projects Fund (234), Year 1.

Project T072, MC 85 at the Aqua Fria River – Fire Damage Assessment with a budget of \$92,500.00.

Also, approve an amendment to the current FY 2008-2012 five-year CIP for Fund (234) – Transportation Capital Projects Fund adopted by the Board on June 20, 2007 by decreasing the FY 2007-08 (Year 1) capital budget for the following projects:

Project T006, Unallocated Force Account capital budget by \$2,500.

Project T002, Project Reserve Account capital budget by \$90,000. (Supervisory District 5) (C6408002500) (ADM2000-003)

**59. SETTLEMENT**

Approve the settlement of a damages claim by J.L. Health, to settle an encroachment situation involving Maricopa County Department of Transportation, and their erroneously storing some equipment on property privately owned, and adjacent to property owned by MCDOT. The settlement has been tentatively negotiated with the landowner, pending the Board's approval. The claim for damages is \$5,500. This item was discussed in Executive Session on July 23, 2007. (Supervisory District 1) (C6408003000) (ADM409)

**60. NEW TRAFFIC CONTROLS**

Approve the following new traffic controls on unincorporated rights-of-way at the following locations:

- a. **14th Street from 100 Feet South of Carefree Highway to 100 Feet North of Dove Valley Road** – All Traffic to stop before entering or crossing a THROUGH STREET. (Supervisory District 3) (C6408004000) (F23223)
- b. **Eagle Eye Road from 100 Feet North of Salome Highway to 100 Feet South of US 60** – All Traffic to stop before entering or crossing a THROUGH STREET (Supervisory District 4 and 5) (C6408005000) (F23223)
- c. **Fenimore Road from 100 Feet West of Signal Butte Road to 100 Feet East of Crismon Road** – All Traffic to stop before entering or crossing a THROUGH STREET. (Supervisory District 2) (C6408012000) (F23223)

**61. RESCIND EXISTING TRAFFIC CONTROLS**

Rescind existing traffic controls (Designated School Crossing) on unincorporated right-of-way at the following location:

**Anthem Way 10 feet west of Liberty Bell Way for Diamond Canyon Elementary School** – A Designated School Crossing. This rescinds the Designated School Crossing dated August 24, 2005. (Supervisory District 3) (C6408006000) (F23166) (F23223)

**62. TRAFFIC CONTROL CHANGES**

Approve the following changes in traffic controls on unincorporated right-of-way at the following location:

- a. **27th Avenue from .75 miles North of New River Road to 1.00 mile North of New River Road** – A 45 MPH SPEED LIMIT ZONE (from a 35 MPH SPEED LIMIT ZONE). This rescinds the 35 MPH speed limit zone dated June 6, 2001. (Supervisory District 3) (C6408007000) (F23223)
- b. **27th Avenue from 1.00 mile North of New River Road to Estrella Road** – A 45 MPH SPEED LIMIT ZONE (from a 25 MPH SPEED LIMIT ZONE). This partially rescinds the 25 MPH speed limit zone dated June 6, 2001. (Supervisory District 3) (C6408007000) (F23223)
- c. **27th Avenue from Estrella Road to Photoview Road** – A 35 MPH SPEED LIMIT ZONE (from a 25 MPH SPEED LIMIT ZONE). This rescinds the 25 MPH speed limit zone dated June 6, 2001. (Supervisory District 3) (C6408007000) (F23223)
- d. **27th Avenue from Joy Ranch Road to Desert Hills Drive** – A 45 MPH SPEED LIMIT ZONE (from a 50 MPH SPEED LIMIT ZONE). This rescinds the 50 MPH speed limit zone dated August 13, 1990. (Supervisory District 3) (C6408008000) (F23223)
- e. **Northern Avenue from .50 miles east of Citrus Road to Cotton Lane** – A 45 MPH SPEED LIMIT ZONE (from a 50 MPH SPEED LIMIT ZONE). This rescinds the 50 MPH speed limit zone dated March 20, 1989. (Supervisory District 4) (C6408009000) (F23223)
- f. **Northern Avenue from Cotton Lane to 1 mile east of El Mirage Road** – A 45 MPH SPEED LIMIT ZONE (from a 50 MPH SPEED LIMIT ZONE). This partially rescinds the 50 MPH speed limit zone dated August 13, 1973. (Supervisory District 4) (C6408009000) (F23223)
- g. **Bethany Home Road from Dysart Road to 129th Avenue** – A 35 MPH SPEED LIMIT ZONE (from a 40 MPH SPEED LIMIT ZONE). This partially rescinds the 40 MPH speed limit zone dated August 21, 1996. (Supervisory District 4) (C6408010000) (F23223)
- h. **Broadway Road and Dean Road** – A Four Way Stop (from a Two-Way north/south Stop). This partially rescinds the Through Street Resolution on Broadway Road dated May 21, 1957. (Supervisory District 4) (C6408011000) (F23223)
- i. **144TH Street from 100 feet North of Rio Verde Drive to 500 feet North of Rio Verde Drive (East Side Only)** – A NO STOPPING, STANDING, PARKING ANYTIME ZONE. (Supervisory District 2) (C6408013000) (F23223)
- j. **Lower Buckeye Road and Perryville Road** – A Four Way Stop (from a Two-Way east/west Stop). This partially rescinds the Through Street Resolution on Perryville Road dated October 25, 1937. (Supervisory District 4) (C6408014000) (F23223)

**63. REIMBURSEMENT TO APS FOR ENGINEERING, DESIGN AND CONSTRUCTION SERVICES**

Approve reimbursement to Arizona Public Service (APS) for engineering, design and construction services provided by APS for the relocation of their facilities in conflict with Maricopa County Department of Transportation's Project T083, MC85 – Cotton Lane to Estrella Parkway. Prior rights documentation by APS has been received and verified. The cost may not exceed the estimated amount of \$559,812.77 by more than 10%.

Per A.R.S. §42-17106 (B), also approve an amendment to the current FY 2008-2012 five-year TIP for Fund (234) – Transportation Capital Projects Fund adopted by the Board on June 20, 2007, by **decreasing** the FY 2007-08 (Year 1), capital budget for Project T002, Project Reserve Account capital budget by \$625,000.

And, by **increasing** the FY 2007-08 (Year 1) capital budget for Project T083, MC85, Cotton Lane to Estrella Parkway capital budget by \$625,000. (Supervisory District 4) (C6408016M00) (ADM2000-006)

**64. ROAD FILE (AB-177) VACATE AND ABANDON**

Adopt Resolution AB-177 to abandon a portion of Pima Street in the vicinity of 175th Drive and Pima Street, per A.R.S. §§28-6709, 7202, 7205 and 7215 which was conveyed to Maricopa County by means of a Sweetwater Estates Unit Two on June 15, 1971 and recorded by the Maricopa County Recorder in Book 139 of Maps, page 3. (Supervisory District 4) (C6408020000)

**65. AGREEMENTS TO LEASE OFFICE SPACE WITH MARICOPA COUNTY PUBLIC WORKS**

Approve agreements to lease office space between the Maricopa County Department of Transportation (MCDOT) with Maricopa County Public Works. Due to the consolidation of responsibilities, office equipment, and modular furniture within MCDOT into Public Works, it is necessary to memorialize space leasing arrangements. These agreements will be effective commencing on July 1, 2007. (C6408021M00)

**66. TIP PROJECTS AND CORRESPONDING EXPENDITURE BUDGETS**

Pursuant to A.R.S. §42-17106(B), approve the **addition** of the following projects and corresponding expenditure budgets to the FY 2007-08 Transportation Improvement Program (TIP), Department of Transportation (640), Transportation Capital Projects Fund (234), Year 1.

<b>Project Number</b>	<b>Name</b>	<b>Budget</b>
T173	Sun City Mill and Overlay: Phase 2	\$3,030,000
T223	Olive Avenue at Reems Road	\$1,133,000
T244	Olive Avenue at Aqua Fria	\$10,000
T254	Riggs Road at Sonoqui Wash	\$123,000
T275	Meridian Road from Empire to Germann	\$550,000

Also, approve an amendment to the current FY 2008-2012 five-year CIP for Fund (234) – Transportation Capital Projects Fund adopted by the Board on June 20, 2007 by **decreasing** the FY 2007-08 (Year 1) capital budget for the following projects:

<b>Project Number</b>	<b>Name</b>	<b>Capital Budget</b>
T006	Unallocated Force Account	\$188,000
T002	Project Reserve Account	\$4,658,000

The requested adjustment results in a net budget impact of zero. (C6408024800) (ADM2000-003)



## **BOARD OF SUPERVISORS**

### **Clerk of the Board**

#### **67. GOLDFIELD PRESERVE DOMESTIC WATER IMPROVEMENT DISTRICT**

The Board of Supervisors has received a petition to organize the Goldfield Preserve Domestic Water Improvement District for the purpose of providing domestic water and wastewater services to the properties in *The Preserve at Goldfield Ranch* development, pursuant to A.R.S. §48-1012. If approved, the petitioners further request that the Board of Supervisors appoint an initial Board of Directors.

The intent of this district is to create a legal entity to provide water and wastewater service to the proposed development. Due to the non-contiguous, remote nature of this development, a private water company is not feasible. The Town of Fountain Hills has no objection to the creation of this district.

The creation of a Domestic Water Improvement District (DWID) with a separate Board of Directors at this time limits the Board of Supervisors oversight of the District. It is the desire of the County and the intent of the developer to construct the water and wastewater facilities as part of the development and then convey them at no cost to the District. A County Improvement District can serve this purpose and allows the Board of Supervisors to remain as the governing body. Once facilities are constructed and operation and maintenance is necessary, the facilities can be conveyed to the District and the property owners can petition the Board of Supervisors to convert the County Improvement District to a DWID with their own elected Board of Directors.

Therefore, the Superintendent of Streets Office recommends the Board of Supervisors not create a Domestic Water Improvement District at this time, as requested by the petitioner's; but grant the formation of a County Improvement District with the Board of Supervisors serving as the District's Board of Directors in accordance with A.R.S. §§48-906 and 48-908 for the limited purpose of operating and maintaining domestic water and wastewater facilities for *The Preserve at Goldfield Ranch* development. The developer will construct the facilities and convey them to the District at no cost to the District. (Supervisory District 2) (C6408018000) (ADM4302)

#### **68. REGIONAL SCHOOL DISTRICT #509 VOUCHERS/WARRANTS**

The Board of Supervisors, pursuant to its authority granted in A.R.S. §15-1001, will consider for approval vouchers presented by the County School Superintendent of Maricopa County to draw warrants on the County Treasurer against Maricopa County Regional School District #509 School District funds for necessary expenses against the school district and obligations incurred for value received in services (except for payroll vouchers) as shown in the Vouchers. (ADM3814-003)

The Board of Supervisors may consider ratifying any Maricopa County Regional School District #509 vouchers and/or warrants (except for payroll vouchers) approved in accordance with the procedures of A.R.S. §15-321 since the last meeting of the Board of Supervisors. The Board of Supervisors may hear staff reports on the vouchers and warrants being considered. The Vouchers are on file in the Maricopa County's Clerk of the Board's office and are retained in accordance with ASLAPR approved retention schedule. (ADM3814-003)

Staff may update the Board of Supervisors on regional schools operations and finances. (ADM3814-005)

## **CONSENT AGENDA**

### **Clerk of the Board**

69. **ASRS Claims** – Authorize payment of claims submitted by the Arizona State Retirement System, on behalf of current or former employees regarding contributions not withheld for purposes of participation in the Arizona State Retirement System. Amounts may be recalculated employer payments to show accrued interest payments. (Claims are on file in the Clerk of the Board's office and are retained in accordance with ASLAPR approved retention schedule.) (ADM3309-001)
70. **Canvass of Elections** – Pursuant to A.R.S. §16-642(B), accept the canvasses of elections submitted by special districts as on file in the Clerk of the Board's office and retained in accordance with ASLAPR approved retention schedule. (ADM4300)
71. **Classification Changes** – Approve the Assessor's recommendation pursuant to A.R.S. §42-12054, that the Board change classification and/or reduce the valuation of certain properties which are now owner-occupied. (List is on file in the Clerk of the Board's Office and retained in accordance with ASLAPR approved retention schedule.) (ADM723)
72. **Compromises** – Accept the requested compromises **as payment in full**. This item was discussed in Executive Session on July 23, 2007. (List is on file in the Clerk of the Board's office and retained in accordance with ASLAPR approved retention schedule.) (ADM407)
73. **Donations** – Accept the annual reports received from county departments and districts for FY 2006-07 as on file in the Clerk of the Board's office and retained in accordance with ASLAPR approved retention schedule. (ADM1810)
74. **Duplicate Warrants** – Necessary affidavits having been filed, pursuant to A.R.S. §11-632, approval and ratification is requested for duplicate warrants issued to replace county warrants and school warrants which were either lost or stolen. (The list is on file in the Clerk of the Board's office and retained in accordance with ASLAPR approved retention schedule.) (ADM1823) (ADM3809)
75. **Precinct Committeemen** – Pursuant to A.R.S. §16-821, authorize the appointment and cancellation of appointment of Precinct Committeemen. The list is on file in the Clerk of the Board's office and retained in accordance with ASLAPR approved retention schedule. (ADM1701)
76. **Redemption of Waivers for Individuals and Organizational Exemptions** – Pursuant to A.R.S. §42-11153B, approve the redemption of waivers for individuals and organizations requesting exemptions for the 2007 tax year during the period of March 2, 2007 through July 20, 2007. The list is on file in the Clerk of the Board's office and retained in accordance with the Department of Library, Archives, and Public Records retention schedule. (ADM721)
77. **Secured Tax Roll Corrections** – Approve requests from the Assessor for corrections of the Secured Tax Rolls. (List is on file in the Clerk of the Board's office and retained in accordance with ASLAPR approved retention schedule.) (ADM705)
78. **Settlement of Tax Cases** – Approve the settlement of tax cases dated August 8, 2007. (List is on file in the Clerk of the Board's office and retained in accordance with ASLAPR approved retention schedule.) (ADM704)

- 79. Stale Dated Warrants** – The Board of Supervisors finds that claims presented, pursuant to A.R.S. §11-644, are legitimate and that claimants have demonstrated good and sufficient reason for failure to present the original check or warrant within the allotted time. Accordingly, the claims are allowed. (A list of claims is on file in the Clerk of the Board's office and retained in accordance with ASLAPR approved retention schedule.) (ADM1816)
- 80. Tax Abatements** – Approve requests for tax abatements from the Treasurer's Office pursuant to A.R.S. §41-18353. (List is on file in the Clerk of the Board's office and retained in accordance with ASLAPR approved retention schedule.) (ADM708)

## **FLOOD CONTROL DISTRICT AGENDA**

**FCD-1.** Approve easements and right-of-way acquisition documents, appraisal and relocation assistance services contracts under \$5,000 per Resolution FCD 87-12; Escrow Instructions per Resolution FCD 87-13; Payment of Tax Notices per Resolution FCD 97-07; License Procedures and Fee Schedules per Resolution FCD2002R002; and disposal of easements, excess real property and fixtures under \$250,000 documents per FCD 1999R016 for Flood Control purposes. (ADM1910)

### **FCD-2. POLICY REGARDING WORKPLACE SOLICITATIONS**

Approve a new policy for the Flood Control District, A1512 Prohibition Against Unauthorized Solicitations, and Unauthorized Posting or Distribution of Literature, prohibiting unauthorized solicitations, and unauthorized postings or distributions of literature in the workplace and county land. Also rescind the following existing policies: A-1502 (solicitation) and A-1917 (posting). This matter was discussed in Executive Session on July 23, 2007, and was previously approved by the Board of Supervisors at its July 25, 2007 meeting under C3108001600. (C3108003600) (ADM1918)

### **FCD-3. IGA FOR CONVEYANCE OF NON-EXCLUSIVE RECREATIONAL USE EASEMENTS**

Approve Intergovernmental Agreement (IGA) FCD 2006A002 between the Flood Control District of Maricopa County and the Maricopa County Parks and Recreation Department which will allow the conveyance of non-exclusive recreational use easements over proposed project areas as requested by the County and approved by the District. The County may request easements for the Maricopa County Regional Trail System, and for additional recreation sites on District property. (C6908001200) (ADM1910)

### **FCD-4. SALE OF PARCEL TO THE CITY OF GOODYEAR**

Approve and authorize the Flood Control District of Maricopa County to sell a portion of Parcel 500-04-982 to the City of Goodyear in the amount of \$425,825. The sale of a portion (84,165 +/- square feet) of parcel 500-04-982 to the City, located along McDowell Road between Bullard Avenue and Reems Road is for a City roadway construction project. (C6908007B00)

## **LIBRARY DISTRICT AGENDA**

### **LD-1. POLICY REGARDING WORKPLACE SOLICITATIONS**

Approve a new policy for the Library District, A1512 Prohibition Against Unauthorized Solicitations, and Unauthorized Posting or Distribution of Literature, prohibiting unauthorized solicitations, and unauthorized postings or distributions of literature in the workplace and county land. Also rescind the following existing policies: A-1502 (solicitation) and A-1917 (posting). This matter was discussed in Executive Session on July 23, 2007, and was previously approved by the Board of Supervisors at its July 25, 2007 meeting under C3108001600. (C3108005600) (ADM2808)

## **STADIUM DISTRICT AGENDA**

### **SD-1 POLICY REGARDING WORKPLACE SOLICITATIONS**

Approve a new policy for the Stadium District, A1512 Prohibition Against Unauthorized Solicitations, and Unauthorized Posting or Distribution of Literature, prohibiting unauthorized solicitations, and unauthorized postings or distributions of literature in the workplace and county land. Also rescind the following existing policies: A-1502 (solicitation) and A-1917 (posting). This matter was discussed in Executive Session on July 23, 2007, and was previously approved by the Board of Supervisors at its July 25, 2007 meeting under C3108001600. (C3108004600) (ADM5510)

## **CALL TO THE PUBLIC AND SUMMARY OF CURRENT EVENTS**

81. Public comment on matters pertaining to Maricopa County government. Please limit comments to two to three minutes. Note that pursuant to the Arizona Open Meeting Law, Board members may not discuss matters raised under this public comment portion of the meeting; however, an individual Board member may respond to criticism made by those who have addressed the Board, ask staff to review an issue raised or may ask that the matter be placed on a future agenda. (Public comment is at the discretion of the Chairman.) (ADM605)
82. Supervisors'/County Manager's summary of current events. (ADM606)

**\*\*\*The Board of Supervisors will now consider matters related to Planning and Zoning.\*\*\***

## **PLANNING AND ZONING AGENDA**

### **CONSENT AGENDA:** **(Detailed below)**

1. Z2001-096, Removal of a Special Use Permit (SUP) for a pole sign adjacent to a building in the IND-2 zoning district, located east of Scottsdale Road and south of Curry Road (in the Tempe area) (District 1)
2. Z2007-004, Special Use Permit (SUP) for a water treatment plant in the Rural-43 zoning district, located south of the southwest corner of Buckeye Road & 355th Avenue (in the Tonopah area) (District 4)
3. Z2007-009, Special Use Permit (SUP) for a water treatment facility in the Rural-43 zoning district, located east of El Mirage Road and south of Glendale Avenue (in the Glendale area) (District 4)
4. S2005-032, Final Plat in the R1-10 and Rural-43 zoning district, located north of Rio Verde Drive, south of Dixileta Road (in the Rio Verde area) (District 2)
5. S2005-037, Final Plat in the R-2 RUPD zoning district, located at Happy Valley Road and Vistancia Boulevard (in the north Peoria area) (District 4)
6. S2007-001, Final Plat in the R1-6 RUPD, R1-7 RUPD and Rural-43 zoning districts, located south of the northwest corner of Olive Avenue & N. 183rd Avenue (in the south Surprise area) (District 4)

### **REGULAR AGENDA:** **(Detailed below)**

7. TA2007-012, Initiate Text Amendment to the Maricopa County Zoning Ordinance regarding compliance with County plans (All Districts)
8. TA2007-013, Initiate Text Amendment to the Maricopa County Comprehensive Plan Amendment Guidelines to modify language regarding the requirements for such amendments (All Districts)
9. DMP2006-007, Development Master Plan (DMP), located on the south side of I-10 between the 335th Avenue & 351st Avenue alignments (in the Tonopah area) (District 4)
10. DMP2006-009, Major Amendment to the Rancho Cabrillo Development Master Plan (DMP), located at the southwest corner of Jomax Road & Dysart Road (in the north Peoria area) (District 4)
11. Z2006-069, Major Zoning Amendment to the Planned Area Development, located at the southwest corner of Jomax Road & Dysart Road (in the north Peoria area) (District 4)
12. Z2007-013, Precise Plan of Development in the IND-2 zoning district, located northeast of Gilbert Drive, approximately 280' east of Scottsdale Road (in the Tempe area) (District 1)

13. Z2007-032, Special Use Permit (SUP) for a water treatment plant in the Rural-43 zoning district, located at the southeast corner of Siesta Way & 335th Avenue (in the Tonopah area) (District 4)
14. Z2007-042, Precise Plan of Development in the C-2 zoning district, located at the southeast corner of Bethany Home Road & Litchfield Road (in the Glendale area) (District 4)

**CONSENT AGENDA DETAIL:**

1. **Z2001-096** District 1

Applicant: Snell & Wilmer, LLP for Select Management Resources, LLC  
Location: South of Curry Road and east of Scottsdale Road (in the Tempe area)  
Request: Removal of a Special Use Permit (SUP) in the IND-2 zoning district (approximately 0.29 acres) – Bodyscan Imaging Center

**COMMISSION ACTION:** Commissioner Pugmire moved to recommend approval of Z2001-096. Commissioner Barney seconded the motion, which passed with a unanimous vote of 10-0.

2. **Z2007-004** District 4

Applicant: Earl, Curley, and Lagarde, PC for Water Utility of Greater Tonopah  
Location: South of the southwest corner of Buckeye Road and 355th Avenue (in the Tonopah area)  
Request: Special Use Permit (SUP) for an Arsenic Treatment Facility in the Rural-43 zoning district (approximately 0.002 acres) – Buckeye Ranch Arsenic

**COMMISSION ACTION:** Commissioner Jones moved to recommend approval of Z2007-004 subject to stipulations “a” through “p”. Commissioner Munoz seconded the motion, which passed with a unanimous vote of 10-0.

- a. Development and use of the site shall comply with the site plan entitled “Special use Permit for Arsenic Treatment Facility at Buckeye Ranch” consisting of two (2) full-size sheets dated May 30, 2007 and stamped received June 5, 2007 except as modified by the following stipulations.
- b. Development and use of the site shall comply with the narrative report entitled “Narrative Report – Z2007004 Special Use Permit for Buckeye Ranch Arsenic Treatment Facilities for Well Site” consisting of three (3) pages, dated revised June, 2007 and stamped received June 5, 2007 except as modified by the following stipulations.
- c. All transformers, back-flow prevention devices, utility boxes and all other utility related ground mounted equipment shall be painted to complement the development and shall be screened with landscape material where possible. All HVAC units shall be ground-mounted.
- d. Prior to commencing construction of the arsenic treatment system, the applicant shall obtain an Approval to Construct from Maricopa County Environmental Services Department (MCESD).
- e. Prior to the issuance of construction permits, the applicant shall submit a Grading and Drainage plan and Drainage Report that have been signed and sealed by an Arizona Registered Civil Engineer. Said plan and report shall include the following:

1. Whether or not the site is natural desert and whether or not the site drains to an existing retention basin to the east.
  2. Dimensions of the basin and side slopes of not steeper than 4:1.
  3. Limits of the flood plain.
  4. Topography and at least two (2) perpendicular cross-sections of the property.
- f. Prior to any development or construction, a Floodplain Use Permit shall be obtained from the Regulatory Division of the Flood Control District (FCD) of Maricopa County.
  - g. The applicant or his successor shall obtain approval of any development plans from the Office of the Arizona State Fire Marshal prior to any construction.
  - h. Development and use of the site shall comply with requirements for fire hydrant placement and other fire protection measures as deemed necessary by the applicable fire department. Prior to issuance of zoning clearance, the applicant shall seek review and comment from the applicable fire protection agency, and shall provide written confirmation that the site will be developed in accordance with their requirements.
  - i. All outdoor lighting shall conform to the Maricopa County Zoning Ordinance.
  - j. Prior to zoning clearance, developer(s) and/or builder(s) shall establish emergency fire protection services, covering all real property contained within the project area during course of construction and shall obtain a 'will serve' letter substantiating coverage from the appropriate Fire Department servicing the site.
  - k. The applicant shall submit a written report outlining the status of the development at the end of one (1) year and twenty (20) years from the date of approval by the Board of Supervisors. The status reports shall be reviewed by staff to determine whether the Special Use Permit remains in compliance with the approved stipulations.
  - l. This Special Use Permit (SUP) shall expire twenty-five (25) years from the date of approval by the Board of Supervisors, or upon termination of the use, whichever occurs first.
  - m. Major changes to the Special Use Permit shall be processed as a revised application, with approval by the Board of Supervisors upon recommendation of the Planning and Zoning Commission. Minor changes may be administratively approved by the Planning and Development Department. Major changes to the Special Use Permit may require a new Citizen Participation Process as determined by the Planning and Development Department.
  - n. Noncompliance with the conditions of approval will be treated as a violation in accordance with the Maricopa County Zoning Ordinance. Further, noncompliance of the conditions of approval may be grounds for the Planning and Zoning Commission to take action in accordance with the Maricopa County Zoning Ordinance).
  - o. Non-compliance with the regulations administered by the Maricopa County Environmental Services Department, Maricopa County Department of Transportation, Drainage Review Division, Planning and Development Department, or the Flood Control District of Maricopa County may be grounds for initiating a revocation of this Special Use Permit as set forth in the Maricopa County Zoning Ordinance.

- p. Property owner and his successors waive claim for diminution in value if the County takes action to rescind approval due to noncompliance with stipulations.

3. **Z2007-009** District 4

Applicant: Litchfield Park Service Company  
Location: South of Glendale Avenue and east of El Mirage Road (in the Glendale area)  
Request: Special Use Permit (SUP) for an Arsenic Treatment Facility in the Rural-43 zoning district (approximately 0.063 acres) – Wellfield Arsenic

**COMMISSION ACTION:** Commissioner Jones moved to recommend approval of Z2007-009, subject to stipulations “a” through “o”. Commissioner Makula seconded the motion, which passed with a unanimous vote of 10-0.

- a. Development and use of the site shall comply with the site plan entitled “AL 9 Well Site Plan” consisting of one (1) full-size sheet dated revised April 12, 2007 and stamped received May 2, 2007 except as modified by the following stipulations.
- b. Development and use of the site shall comply with the narrative report entitled “LPSCO Airline Well Field Site Well 9 Arsenic Treatment Facility” consisting of four (4) pages, dated revised April 12, 2007 and stamped received April 16, 2007 except as modified by the following stipulations.
- c. Prior to any development or construction of the arsenic treatment facility, a Floodplain Use Permit must be obtained from the Regulatory Division of the Flood Control District of Maricopa County.
- d. Prior to the construction of the arsenic treatment facility, the applicant shall obtain an Approval to Construct from MCESD.
- e. Prior to the construction of the arsenic treatment facility, the applicant shall provide a recorded conveyance of easement and exhibits for the proposed drainage basin.
- f. All transformers, back-flow prevention devices, utility boxes and all other utility related ground mounted equipment shall be painted to complement the development and shall be screened with landscape material where possible. All HVAC units shall be ground-mounted.
- g. Development and use of the site shall comply with requirements for fire hydrant placement and other fire protection measures as deemed necessary by the applicable fire department. Prior to issuance of zoning clearance, the applicant shall seek review and comment from the applicable fire protection agency, and shall provide written confirmation that the site will be developed in accordance with their requirements.
- h. All outdoor lighting shall conform to the Maricopa County Zoning Ordinance.
- i. Prior to zoning clearance, developer(s) and/or builder(s) shall establish emergency fire protection services, covering all real property contained within the project area during course of construction and shall obtain a ‘will serve’ letter substantiating coverage from the appropriate Fire Department servicing the site.
- j. The applicant shall submit a written report outlining the status of the development at the end of one (1) year and 20 years from the date of approval by the Board of Supervisors.



The status reports shall be reviewed by staff to determine whether the Special Use Permit remains in compliance with the approved stipulations.

- k. This Special Use Permit (SUP) shall expire twenty-five (25) years from the date of approval by the Board of Supervisors, or upon termination of the use, whichever occurs first.
  - l. Major changes to the Special Use Permit shall be processed as a revised application, with approval by the Board of Supervisors upon recommendation of the Planning and Zoning Commission. Minor changes may be administratively approved by the Planning and Development Department. Major changes to the Special Use Permit may require a new Citizen Participation Process as determined by the Planning and Development Department.
  - m. Noncompliance with the conditions of approval will be treated as a violation in accordance with the Maricopa County Zoning Ordinance. Further, noncompliance of the conditions of approval may be grounds for the Planning and Zoning Commission to take action in accordance with the Maricopa County Zoning Ordinance).
  - n. Non-compliance with the regulations administered by the Maricopa County Environmental Services Department, Maricopa County Department of Transportation, Drainage Review Division, Planning and Development Department, or the Flood Control District of Maricopa County may be grounds for initiating a revocation of this Special Use Permit as set forth in the Maricopa County Zoning Ordinance.
  - o. Property owner and his successors waive claim for diminution in value if the County takes action to rescind approval due to noncompliance with stipulations.
4.     **S2005-032**     District 2
- Applicant:     Rio Verde Services, on behalf of First American Title Insurance Co.  
Location:     North of Rio Verde Drive, south of Dixileta Road between 172nd Street and 176th Street (in the Rio Verde area)  
Request:     Final Plat in the R1-10 and Rural-43 zoning districts for Vista Verde Unit 1 (approximately 265.2 gross acres)
5.     **S2005-037**     District 4
- Applicant:     Coe & Van Loo, on behalf of William Lyon Homes  
Location:     Happy Valley Road and Vistancia Boulevard (in the north Peoria area)  
Request:     Final Plat in the R-2 RUPD zoning district for Coldwater Ranch Unit 4 (approximately 47.7 gross acres)
6.     **S2007-001**     District 4
- Applicant:     Coe & Van Loo, on behalf of Citrus & Northern, LLC  
Location:     South of the northwest corner of Olive Avenue and N. 183rd Avenue (in south Surprise area)  
Request:     Final Plat in the R1-6 RUPD, R1-7 RUPD and Rural-43 zoning districts for White Tank Foothills Phase 2 well site (approximately 0.721 gross acres)

**REGULAR AGENDA DETAIL:**

7.     **TA2007-012**     All Districts

Applicant: Commission Initiative  
Location: County-wide  
Request: Text Amendment to the Maricopa County Zoning Ordinance (MCZO) regarding compliance with county plans

**COMMISSION ACTION:** Commissioner Aster moved to recommend approval of TA2007-012. Commissioner Smith seconded the motion, which passed with a unanimous vote of 9-0.

8. **TA2007-013** All Districts

Applicant: Commission Initiative  
Location: County-wide  
Request: Text Amendment to the Maricopa County Comprehensive Plan Amendment Guidelines to modify language regarding the requirements for such amendments

**COMMISSION ACTION:** Commissioner Aster moved to recommend approval of TA2007-013. Commissioner Jones seconded the motion, which passed with a unanimous vote of 9-0.

9. **DMP2006-007** District 4

Applicant: LVA Urban Design Studio, LLC for 339th Avenue & I-10, LLC  
Location: South side of I-10, between 335th Avenue (alignment) and 351st Avenue (alignment) (in the Tonopah area)  
Request: Development Master Plan (DMP) (approximately 1,290 acres) – Hidden Waters Ranch

**COMMISSION ACTION:** Commissioner Makula moved to continue DMP2006-007 to the regular meeting of September 6, 2007. Commissioner Jones seconded the motion, which passed with a unanimous vote of 9-0.

Note: It is anticipated that the Commission action of September 6, 2007 will be presented at the Board of Supervisor's hearing of October 3, 2007.

10. **DMP2006-009** District 4

Applicant: Carter Burgess, Inc. for Rancho Cabrillo Development, LLC  
Location: Southwest corner of Jomax Road & Dysart Road (in the Peoria area)  
Request: Major Amendment to the Development Master Plan (DMP) (approximately 594.34 acres) – Rancho Cabrillo

**COMMISSION ACTION:** Commissioner Jones moved to recommend approval of DMP2006-009, subject to stipulations "a" through "o". Commissioner Makula seconded the motion, which passed with a unanimous vote of 10-0.

- a. Development shall comply with the Development Master Plan document entitled "Rancho Cabrillo Development Master Plan Amendment", a bound document, dated May, 2007, and stamped received May 25, 2007, including all exhibits, maps, and appendices, except as modified by the following stipulations.
- b. Development shall comply with the stipulations of approval for case DMP2004003–Administrative Amendment approved on September 8, 2004. (See attached addendum.)

- c. Changes to the Rancho Cabrillo Development Master Plan with regard to use and intensity, or changes to any of the stipulations approved by the Maricopa County Board of Supervisors, shall be processed as a revised application with approval by the Board of Supervisors upon recommendation by the Maricopa County Planning and Zoning Commission. Revised applications shall be in accordance with the applicable Development Master Plan Guidelines, subdivision regulations, and zoning ordinance in effect at the time of application(s) submission. The Maricopa County Planning and Development Department may approve minor changes administratively as outlined in the Maricopa County Development Master Plan Guidelines in effect at the time of amendment. Non-compliance with the approved Rancho Cabrillo Development Master Plan Amendment narrative report, maps, and exhibits, or the stipulations of approval will be treated as a violation in accordance with the provisions of the Maricopa County Zoning Ordinance.
- d. All stipulations of approval shall remain in effect in the event of a change in name of the Rancho Cabrillo Development Master Plan.
- e. Prior to approval of each final plat, the master developer shall submit to the Maricopa County Planning and Development Department a landscape inventory and salvage plan which identifies and assesses the native vegetation within the development parcels, and which determines the preservation/disposition for each of the selected native vegetation.
- f. Landscaping of all common areas and open spaces, except for identified recreational areas, within Rancho Cabrillo shall consist of indigenous and near-native plant species of a xeriphytic nature.
- g. All irrigation water supplied for common/open space areas shall be provided entirely by a renewable supply of water, such as treated effluent, surface water, or Central Arizona Project (CAP) water, within five (5) years after issuance of the first building permit. Interim water for the purposes noted may be supplied by groundwater and shall comply with all Arizona Department of Water Resources regulations. Proof of conversion from groundwater to a renewable water supply shall be provided to the Maricopa County Planning and Development Department within the five year requirement.
- h. The Rancho Cabrillo Development Master Plan shall be developed sequentially as depicted on the phasing diagram contained in the Rancho Cabrillo Development Master Plan narrative report.
- i. Until annexation of the entire development master plan takes place, the master developer shall notify all future Rancho Cabrillo Development Master Plan residents that they are not located within an incorporated city or town, and therefore will not be represented by, or be able to petition a citizen-elected municipal government. Notification shall also state that residents will not have access to municipally-managed services such as police, fire, parks, water, wastewater, libraries, and refuse collection. Such notice shall be included on all final plats, be permanently posted on the front door of all home sales offices on not less than a three (3) foot by five (5) foot sign, and be included in all homeowner association covenants, conditions, and restrictions (CC&Rs).
- j. All park facilities shall be completed concurrently with residential development of the respective plat on which the park is shown. Park facilities and amenities shall be identified on all applicable plats, and are subject to review by the Maricopa County Planning and Development Department.

- k. Not less than 9.14 net acres shall be reserved for Recreational Open Space (ROS) land use. Further, the project shall have not less than twelve (12) pocket park sites of approximately one (1) acre each as described in the Rancho Cabrillo Development Master Plan narrative report. All parks shall include recreational amenities. At the time of each preliminary plat submission, the master developer shall include a description of the status of the cumulative ROS acreage and park numbers with respect to the requirements of this stipulation. A description of the types of recreational amenities that will be included in the ROS and pocket-park areas shall also be submitted with all preliminary plats to the Maricopa County Planning and Development Department.
  - l. The master developer shall provide non-vehicular multi-use trails as shown on Exhibit E "Proposed Open Space Corridor Map" of the DMP narrative. Such trails shall be identified on all plats and are subject to approval by Maricopa County.
  - m. The following Maricopa County Drainage Review stipulations shall apply:
    - 1. All stipulations approved by the Board of Supervisors for the Rancho Cabrillo DMP shall remain in effect. Any change or new development shall meet all previous stipulations.
    - 2. Provide a list of the previous stipulations and address how all stipulations have been met.
    - 3. Coordinate with neighboring community to the west (Rancho Mercado) for any impact from them or any impact to surrounding area from this development.
  - n. The following Flood Control District of Maricopa County stipulations shall apply:
    - 1. Prior to any work being done in the floodplain, a Floodplain Use Permit will be required from the Regulatory Division of the Flood Control District.
  - o. The following Maricopa County Department of Transportation stipulations shall apply:
    - 1. The applicant shall construct a wet roadway crossing, to minimum Maricopa County Standards, to the western boundary of the development. The western termini of Happy Valley Road and surrounding development shall be designed for future all-weather crossing (bridge) over Paddleford Wash, to be constructed by others.
    - 2. All other stipulations approved by the Board of Supervisors for the Rancho Cabrillo Development Master Plan shall remain in effect.
11.     **Z2006-069**     District 4
- Applicant:     Carter Burgess, Inc. and The WLB Group, Inc. for Scott Communities RC, Inc.  
Location:     Southwest corner of Jomax Road & Dysart Road (in the north Peoria area)  
Request:     Major Zoning Amendment to the Planned Area Development (PAD) (approximately 594.34 acres) – Rancho Cabrillo

**COMMISSION ACTION:** Commissioner Jones moved to recommend approval of Z2006-069, subject to stipulations "a" through "t". Commissioner Makula seconded the motion, which passes with a unanimous vote of 10-0.

- a. Development and use of the site shall comply with the bound narrative entitled "Rancho Cabrillo Zoning Amendment", consisting of 68 pages inclusive of Exhibits 'A' through 'J' and Appendices 'A' through 'H', dated revised June 2007, and stamped received July 6, 2007, except as modified by the following stipulations.
- b. The applicant shall provide 130 feet of right-of-way for Happy Valley Road, across the Padelford Wash, to the western limit of this development. Further, the applicant shall construct a roadway, to minimum Maricopa County Standards, to the western boundary of development. The western termini of Happy Valley Road and surrounding development shall be designed for future all-weather crossing (bridge) over Padelford Wash, to be constructed by others.
- c. The applicant shall construct ultimate full-width improvements, including pavement, curb, gutter and sidewalks, for Happy Valley Road.
- d. All interior streets within the proposed development are to be constructed to minimum County standards.
- e. All parcels within the development shall have two (2) all-weather access points.
- f. Prior to issuance of any permits for development of the site, the applicant/property owner shall obtain the necessary encroachment permits from the Maricopa County Department of Transportation (MCDOT) for landscaping or other improvements in the right-of-way.
- g. The applicant or their successors shall obtain approval of any development plans, other than those relating to Parcels A, B, D, E or F, from the Office of the Arizona State Fire Marshal prior to any construction.
- h. Development and use of the site shall comply with requirements for fire hydrant placement and other fire protection measures as deemed necessary by the applicable fire department. Prior to Final Plat approval, the applicant shall seek review and comment from the applicable fire protection agency, and shall provide written confirmation that the site will be developed in accordance with their requirements.
- i. The following Drainage Review stipulations shall apply:
  - 1. All drainage related stipulations approved by the Board of Supervisors for the Rancho Cabrillo Development Master Plan shall remain effect. Any change or new development shall meet all previous stipulations.
  - 2. Prior to the approval of any Final Plat within Phase 2 or Phase 3, the developer shall provide a list of the previous stipulations and address how these stipulations have been met.
  - 3. A copy of memorandum of understanding for wash flow between this project and Rancho Mercado shall be provided in final plat submittal.
- j. The following Flood Control District of Maricopa County stipulations shall apply:
  - 1. All buildings shall be raised to or above the Regulatory Flood Elevation, and necessary erosion protection provided.

2. The site is located adjacent to land owned by the Flood Control District (District). Any change in flow characteristics onto the District's property will require that a Right-of-Way Permit be issued through the District's Right-of-Way Permits Branch. In addition, a Floodplain Use Permit will be required from the Regulatory Division of the Flood Control District prior to approvals of any Final Plat located within floodplains that are effective at the time of Final Plat approval.
- k. The applicant shall be responsible for the development and maintenance of the Maricopa County Regional Trail (a 20' wide, multi-use recreational trail), along the McMicken Dam Outlet Channel, in an area from the Litchfield Road alignment to the Dysart Road alignment. To accomplish this, the applicant shall work with the Flood Control District of Maricopa County to obtain all necessary permits, fees and agreements. This stipulation shall not apply if the applicant is notified, in writing, by the Parks Department that there is no longer a need for such a trail.
- l. Not less than 15 acres shall be reserved for donation to the Peoria Unified School District to accommodate the projected need for one elementary school. Developer will continue to make this site available for 15 years after the Board of Supervisors' approval for the Rancho Cabrillo rezoning. In the event that the site is not developed within the 15-year period, or in the event that the Peoria Unified School District ever ceases to use the site, the developer may retain a right of reversion to the developer or the developer's assignee.
- m. An archeological survey shall be submitted to and approved by the Arizona State Historic Preservation Office prior to issuance of a Grading Permit or approval of a Final Plat. The applicant must contact the State office prior to initiating disturbance of the site. The applicant shall provide the Planning and Development Department with written proof of compliance with this stipulation.
- n. All outdoor lighting shall conform to Section 1110 of the Maricopa County Zoning Ordinance.
- o. All trees shall be double-staked when installed.
- p. When possible, all transformers, back-flow prevention devices, utility boxes and all other utility-related, ground-mounted equipment shall be painted to complement the development and shall be screened with landscape material where possible. All HVAC units shall be ground-mounted or screened from view.
- q. Proposed commercial sites within the development shall be subject to a Plan of Development (PD) overlay.
- r. The Board of Supervisors shall process major changes to the PAD/RUPD plan as a revised application, with approval upon recommendation of the Planning and Zoning Commission. Minor changes may be administratively approved by the Planning and Development Department.
- s. Noncompliance with the conditions of approval will be treated as a violation in accordance with the Maricopa County Zoning Ordinance. Further, noncompliance of the conditions of approval may be grounds for the Planning and Zoning Commission to take action in accordance with the Maricopa County Zoning Ordinance.
- t. Property owner and his successors waive claim for diminution in value if the County takes action to rescind approval due to noncompliance with stipulations.

12. **Z2007-013** District 1

Applicant: Rose Law Group for Griffin Investment Group  
Location: Northeast of Gilbert Drive, approximately 280' east of Scottsdale Road (in the Tempe area)  
Request: Precise Plan of Development for Off-Site Advertising (billboard) in the IND-2 zoning district (approximately 0.27 acres) – Brown Outdoor Advertising

**COMMISSION ACTION:** Commissioner Pugmire moved to recommend approval of Z2007-013 subject to stipulations “a” through “i”. Commissioner Munoz seconded the motion, which passed with a unanimous vote of 10-0.

- a. Development of the site shall comply with the zoning exhibit entitled “Brown Outdoor – Approval of Precise Plan of Development”, consisting of two (2) sheets, dated revised May 5, 2007 and stamped received May 15, 2007, except as modified by the following stipulations.
- b. Development of the site shall be in conformance with the narrative report entitled “Brown Outdoor – Request for Approval of Precise Plan of Development”, consisting of sixteen (16) pages, dated (revised) May, 2007, and stamped received May 15, 2007, except as modified by the following stipulations.
- c. Development of the site shall comply with the following Maricopa County Department of Transportation (MCDOT) stipulation:  
  
Maricopa County Department of Transportation will approve this paved driveway location as long as the site plan uses it for access and maintenance of sign for proposed as part of this application.
- d. All outdoor lighting shall conform to the Maricopa County Zoning Ordinance.
- e. Development and use of the site shall comply with requirements for fire hydrant placement and other fire protection measures as deemed necessary by the applicable fire department. Prior to issuance of zoning clearance, the applicant shall seek review and comment from the applicable fire protection agency, and shall provide written confirmation that the site will be developed in accordance with their requirements.
- f. Prior to zoning clearance developer(s) and/or builder(s) shall establish emergency fire protection services, covering all real property contained within the project area during course of construction and shall obtain a ‘will serve’ letter substantiating coverage from the appropriate Fire Department servicing the site.
- g. Major changes to the Site Plan and narrative report shall be processed as a revised application, with approval by the Board of Supervisors upon recommendation of the Planning and Zoning Commission. Minor changes may be administratively approved by the Planning and Development Department. Major changes to the project may require a new Citizen Participation Process as determined by the Planning and Development Department.
- h. Noncompliance with the conditions of approval will be treated as a violation in accordance with the Maricopa County Zoning Ordinance. Further, noncompliance of the conditions of approval may be grounds for the Planning and Zoning Commission to take action in accordance with Chapter 3 (Conditional Zoning).

- i. Property owner and his successors waive claim for diminution in value if the County takes action to rescind approval due to noncompliance with stipulations.

13. **Z2007-032** District 4

Applicant: McBride Engineering Solutions, Inc. for Water Utility of Greater Tonopah  
Location: Southeast corner of Siesta Way & 335th Avenue (in the Tonopah area)  
Request: Special Use Permit (SUP) for an Arsenic Treatment Facility in the Rural-43 zoning district (approximately 0.01 acres) – Sunshine Arsenic

**COMMISSION ACTION:** Commissioner Bowers moved to continue Z2007-032 to the regular meeting of August 2, 2007. Commissioner Jones seconded the motion, which passed with a unanimous vote of 10-0.

Note: It is anticipated that the Commission action of August 2, 2007 will be presented at the Board of Supervisor's hearing of August 8, 2007.

14. **Z2007-042** District 4

Applicant: Falcon Plaza, LLC  
Location: Southeast corner of Litchfield Road & Bethany Home Road (in the Glendale area)  
Request: Precise Plan of Development for a neighborhood commercial center in the C-2 zoning district (approximately 4.8 acres) – Falcon Plaza

**COMMISSION ACTION:** Commissioner Jones moved to recommend approval of Z2007-042, subject to stipulations "a" through "p". Commissioner Makula seconded the motion, which passed with a unanimous vote of 10-0.

- a. Development of the site shall comply with the site plan entitled "Precise Plan of Development Falcon Plaza", consisting of five (5) sheets, dated (revised) June 6, 2007, and stamped received June 21, 2007, except as modified by the following stipulations.
- b. Development of the site shall be in conformance with the narrative report entitled "Falcon Plaza-Precise Plan of Development", consisting of 6 pages, dated (revised) June 18, 2007, and stamped received June 21, 2007, except as modified by the following stipulations.
- c. Development of the site shall be in conformance with the landscape plan entitled "Preliminary Landscape Plan-Falcon Plaza", consisting of one (1) sheet, dated (revised) May 24, 2007, and stamped received May 30, 2007, except as modified by the following stipulations.
- d. All trees shall be double-staked when installed.
- e. A continuous parapet shall screen all roof-mounted equipment.
- f. All transformers, back-flow prevention devices, utility boxes and all other utility related ground mounted equipment shall be painted to complement the development and shall be screened with landscape material where possible. All HVAC units shall be ground-mounted or screened.



- g. All buildings constructed upon this property shall be constructed to attain a noise reduction level as per ARS 28-8482.
- h. At the lease office of the "Falcon Plaza" shall be a sign notifying the current and future leasor that they are located within the state-defined "territory in the vicinity of a military airport" with the following language:

"You will reside in a property in the 'vicinity of a military airport' as described by State of Arizona statute ARS §28-8481. You will be subject to direct over flights and noise by Luke Air Force Base jet aircraft in the vicinity.

Luke Air Force Base executes over 200,000 flight operations per year, at an average of approximately 170 overflights per day. Although Luke's primary flight paths are located within 20 miles from the base, jet noise will be apparent throughout the area as aircraft transient to and from the Barry M. Goldwater Gunnery Range and other flight training areas.

Luke Air Force Base may launch and recover aircraft in either direction off its runways oriented to the southwest and northeast. Noise will be more noticeable during overcast sky conditions due to noise reflections off the clouds.

Luke Air Force Base's normal flying hours extend from 7:00 a.m. until approximately midnight, Monday through Friday, but some limited flying will occur outside these hours and during most weekends.

For further information, please check the Luke Air Force Base website at [www.luke.af.mil/urbandevelopment](http://www.luke.af.mil/urbandevelopment) or contact the Maricopa County Planning and Development Department."

Such notification shall be permanently posted the lease office of the Falcon Plaza on not less than an 8½ inch by 11 inch sign and be included in all rental agreements.

- i. Prior to issuance of any permits for development of the site, the applicant/property owner shall obtain the necessary encroachment permits from the Maricopa County Department of Transportation (MCDOT) for landscaping or other improvements in the right-of-way.
- j. All outdoor lighting shall conform with the Maricopa County Zoning Ordinance.
- k. The applicant or his successor shall obtain approval of any development plans from the Office of the Arizona State Fire Marshal prior to any construction.
- l. Development and use of the site shall comply with requirements for fire hydrant placement and other fire protection measures as deemed necessary by the applicable fire department. Prior to issuance of zoning clearance, the applicant shall seek review and comment from the applicable fire protection agency, and shall provide written confirmation that the site will be developed in accordance with their requirements.
- m. Prior to zoning clearance, developer(s) and/or builder(s) shall establish emergency fire protection services, covering all real property contained within the project area during course of construction and shall obtain a 'will serve' letter substantiating coverage from the appropriate Fire Department servicing the site.
- n. Major changes to the site plan and narrative report shall be processed as a revised application, with approval by the Board of Supervisors upon recommendation of the

Planning and Zoning Commission. Minor changes may be administratively approved by the Planning and Development Department.

- o. Noncompliance with the conditions of approval will be treated as a violation in accordance with the Maricopa County Zoning Ordinance. Further, noncompliance of the conditions of approval may be grounds for the Planning and Zoning Commission to take action in accordance with Chapter 3 (Conditional Zoning).
- p. Property owner and his successors waive claim for diminution in value if the County takes action to rescind approval due to noncompliance with stipulations.